



"The City With a Heart"

Jim Ruane, Mayor  
Rico E. Medina, Vice Mayor  
Ken Ibarra, Councilmember  
Irene O'Connell, Councilmember  
Michael Salazar, Councilmember

## MINUTES

### SAN BRUNO CITY COUNCIL

October 12, 2010

7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on October 12, 2010 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m.

**Mayor Ruane** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor Medina and Council Members O'Connell, Ibarra and Salazar. Recording by Clerk Bonner. **City Clerk Bonner** led the Pledge of Allegiance.

#### **3. ANNOUNCEMENTS:**

a. **Mayor Ruane** announced there would be a Town Hall Meeting on October 29 at 6:30 p.m. and the venue will be available on San Bruno's website by tomorrow.

b. **Mayor Ruane** also announced PG&E representatives will be present to respond to any questions raised during the Public Comment section of items on the agenda.

#### **4. PRESENTATIONS:**

a. **Mayor Ruane** presented a Proclamation Recognizing October 16, 2010 as Arbor Day in the City of San Bruno to Community Services Director Schwartz. He received a plaque commemorating five years of observation of Arbor Day in San Bruno for five years from Community Services Director Schwartz who explained what they would be doing on Arbor Day. He said they will be planting trees at City Park as well as Buckeye and further information will be posted on the website, as well as Channel 1.

b. **Mayor Ruane** introduced Dean Peterson from Environmental Health, San Mateo County who presented the golden shovel used to remove the last of the debris to commemorate completion of the demolition and debris removal at the Glenview Fire Site.

c. **Mayor Ruane**, adding a little Giant 2010 history, received a presentation of a Donation from the San Francisco Giants for the Benefit of Glenview Fire Victims. Shana Daum, Giants representative introduced employees of the Giants who live in San Bruno, Carolyn Uroz, David Fujito and Sam Heikel. She presented checks totaling \$119,866.97 from the Giants, the Giants Community Fund, their fans and front office staff. **Mayor Ruane** thanked them for being a truly community organization.

**5. REVIEW OF AGENDA:** No changes.

**6. APPROVAL OF MINUTES:** Regular City Council Meeting of August 24, 2010 and Special Council Meeting of October 5, 2010, approved as submitted.

#### **7. CONSENT CALENDAR:**

a. **Approve:** Payroll of August 29, September 12 and 26, 2010.

b. **Approve:** Accounts Payable of August 23 and 30 and September 6, 13, 20 and 27, 2010.

- c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated August 31, 2010.
- d. **Adopt:** Resolution Accepting the Law Enforcement Grant Program Award of \$1,200 from Target.
- e. **Accept:** Letter of Resignation from Traffic, Safety & Parking Committee Member Doris Maez. Declare a Committee Member Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

**Councilmember Ibarra** asked Item 7.e. be pulled.

**M/S Medina/O'Connell** to approve remainder of the consent calendar and passed with all ayes.

**Councilmember Ibarra** thanked Doris Maez for her service to San Bruno on many committees.

**M/S Ibarra/Medina** to approve Item 7.e. and passed with all ayes.

## 8. PUBLIC HEARINGS:

## 9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

**Alan Lubke, Fleetwood Dr.** asked an item be placed on the next City Council agenda to have a report on the improvements made to Fleetwood Drive as a result of the extensive study for traffic calming on that road. He also asked that lines and arrows be painted around Tanforan to direct traffic better. He suggested Tanforan and our local police department work together as far as traffic control going into the shopping center as we approach the holiday season. He discussed the lighting around the area.

**Jennifer Otten**, said there was a Rally for San Bruno at San Bruno Park on September 25 and thanked the many people who helped bring this together and presented San Bruno with \$21,665.50. **Holly Rekow** who was raised in the Glenview area and talked about the success of the event

**Valerie Walsh, Mastick Dr.** said there was a concert at Capuchino High and the funds were directed to the Rotary Club and Lions, some wrote checks to the City of San Bruno and she presented \$350.00 to the City. She said there are two more benefits planned.

**Mayor Ruane** said thank you to everyone.

**Bob Pellegrini, 1701 Claremont Dr.** asked if the PG&E pipeline was going to be abandoned.

**Kurt Johnson, Vice President, Gas Transmission and Distribution, PG&E**, said the line in place is inactive and PG&E is continuing to study what it will take to operate the system missing a significant segment of the pipeline that feeds all the Peninsula, which includes San Mateo County, San Francisco County and the northern region of Santa Clara County, combined, one inclusive system. The findings will be reported to the CPUC and also they will be working with San Bruno to report any activities taking place. He said some construction is taking place right now as they are attempting to improve the system with crossties.

**Councilmember O'Connell** asked if there was a timeline of a decision? **Johnson** said around November 1.

**City Manager Jackson** asked about the work currently going on the existing transmission lines, particularly in the Glenview neighborhood and along San Bruno Ave.

**Johnson** said there are two pieces of work on the pipeline; building crossties to further reduce the pressure drop. The other work taking place throughout the City of San Bruno is work to ensure the pipeline system is still safe, often referred to as external direct corrosion assessment.

**Mayor Ruane** noticed a loop is it a separate line. **Johnson** said there are three lines through San Bruno, 101, two pipelines starting in Milpitas, Line 132 (the one that ruptured) and 109 and they split off around highway 35 taking different crossings. Line 132 was built in 1948 and relocated due to the building of homes in 1956. Line 109 took a different route up through Skyline and passed over an earthquake fault and had to be rerouted in 1995.

**Alan Lubke, Fleetwood Dr.** asked if the water is back on in the Glenview area so they can hook up. **Public Services Director Fabry** said the water pressure is on in the Glenview area, except for one fire hydrant.

**Holly Rekow** presented a quilt to the City of San Bruno depicting pictures of the Glenview fire.

## **10. CONDUCT OF BUSINESS:**

a. Receive Report and Provide Direction Related to an Expedited Planning Process for Homes Affected by the Glenview Fire.

**Community Services Director Aknin** gave an overview of the staff report and additional handout, which outlined the department's plans to expedite the architectural and structural review process.

**Councilmember Ibarra** asked how accurate the information is in the staff report regarding the homes and what is it based on? **Aknin** said it was based on County records and those who have added on more recently, that data is from the City's building records. **Councilmember Ibarra** asked once the sites are cleared, what is left, were the foundations subjected to heat damage? **Aknin** said the foundations when subjected to that heat no longer have the structural integrity, so they were all removed. He said surveys would have to be done to the individual lots. **Councilmember Ibarra** asked about utilities, do we start from scratch? **Aknin** concurred utilities will start from scratch, from the sidewalk to their home.

**Vice Mayor Medina** asked what we might be seeing. **Aknin** said homes somewhere in the 2000 to 2400 foot range, larger kitchens, and larger family rooms.

**Councilmember Ibarra** asked what kind of feedback is the department getting. **Aknin** said a number of people want to rebuild and to do it quickly.

**Vice Mayor Medina** asked if these guidelines would try to make the timeline cut in half. **Aknin** concurred.

**Mayor Ruane** asked if direction was needed that the Community Development Department was going in the right direction? **Aknin** said yes, they would make whatever zoning ordinances to those homes, which applies in order to expedite the process.

**Councilmember Ibarra** said there should be some way to extend the review period. Knowing the area fairly well, a number of those houses are one story and a rebuild could include some two stories, which may cause issues with some of the neighbors. He strongly suggested outreach to those neighbors.

**Councilmember O'Connell** once this is done tonight. How long does it take? **Aknin** said 30 days from the second reading. **City Manager Jackson** said there shouldn't be any real delays for residents. **Aknin** said architects have already been invited.

b. Adopt Resolution Amending Master Fee Schedule Related to Building and Planning Fee Schedule for Residents Impacted by Glenview Fire.

**Finance Director Suen** gave an overview of the amendments to the master fee schedule for those impacted by the Glenview Fire and asked for questions.

**Councilmember Ibarra** said if an owner does not want to rebuild and they move and sell the vacant property. Would that new owner take advantage or would it only be the original owners? **City Manager Jackson** said that was the intent for the original owner but that is up to Council.

**Councilmember Ibarra** said he was fully in favor of not charging those affected by the fire; however what will be the cost to the City? **City Manager Jackson** said it is a significant concern, in order to meet the need of our residents; there will be a need for extra help in both the Planning as well as the Building areas. The Finance Director indicated there is a potential loss of \$500,000 of unexpected expenses.

**Vice Mayor Medina** said he knew this was for those who lost their homes and had major damage. He asked if major damage could be described and to what degree, is it red and yellow tagged homes? **City Manager Jackson** said anyone who was impacted by the explosion of the fire regardless of the severity, which would include red, yellow and green-tagged homes. This is an evaluation based on building codes and requirements. Some of the green tagged homes could incur significant expense in repairing what the building codes doesn't view as major damage but there may be many things that need to be repaired.

**Vice Mayor Medina** introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Authorizing the City Manager to Execute a Contract with West Valley Construction in the Amount of \$42,700 for Excavating and Capping Sewer Laterals Glenview Fire Area Approving a Construction Budget of \$53,375.

**Public Services Director Fabry** gave an overview of the staff report and pointed out this was part of the emergency and was not competitively bid.

**Vice Mayor Medina** expressed his concern about not going through the competitive process. He said how do we know we are getting the value for the services provided? Do we have staff that can also assist so we don't go out to bid? **Fabry** said our resources are limited and that is why the City has an ongoing contract.

**Councilmember Salazar** normally this section would be the responsibility of the homeowner. Do we need permission from the property owners to go in? **Fabry** said this is being done for health and safety reasons and to protect our system.

**Councilmember Salazar** some changes in policy regarding cleanouts if this work helps or hinders what may be done in the future? **Fabry** said this is an emergency situation.

**City Manager Jackson** said there is a wording addition to the sixth whereas on the resolution, WHEREAS, the City due to the Glenview Fire and resulting damage must hire a contractor to excavate the sewer laterals on demolished properties and cap the downstream pipe so that no debris can reach the main system; and, which more articulately directs this is a fire related situation.

**Councilmember Ibarra** asked what Fund 190 was? **City Manager Jackson** is an accounting mechanism associated with the disaster response.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Authorizing the City Manager to Execute a Contract with Pacific Access Contractors, Inc. for the Purchase and Installation of a Wheelchair Lift for the Library in the Amount of \$40,000 and Approving a Construction Budget in the Amount of \$46,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Vice Mayor Medina** said this is basically the installation of the lift, why is there a 15% contingency? **Fabry** said no contingency is approved without special reason and this is the typical contingency.

**Councilmember Ibarra** said he heard no contingency cost would be expended without approval and he asked whose approval? **Fabry** said the department approval. She also pointed out that the City Manager indicated 10% is a typical contingency. **Vice Mayor Medina** said he felt better with a 10% contingency. **Councilmember Ibarra** said he was uncomfortable with contingencies.

**Councilmember Ibarra** said he thought 120 days seemed like a long time? **Fabry** said she thought it could be the requirement for the testing.

**Councilmember O'Connell** said with the old buildings, it is unknown what things are behind the walls, she felt it is smart to have a contingency.

**Councilmember Salazar** said he understood all funds are coming from capital improvements? **Fabry** said correct. **Councilmember Salazar** asked if we chose not to do this project, would those funds be lost? **City Manager Jackson** said \$50,000 would not be able to be used for any other purpose.

**Councilmember O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

**Vice Mayor Medina** asked for a recap of the contingency monies spent at the conclusion of the project.

e. Adopt Resolution Authorizing the City Manager to Execute a Contract with Erler & Kalinowski, Inc. for the 2010 Urban Water Management Plan Update in the Amount of \$49,000.

**Public Services Director Fabry** gave an overview of the staff report in a power point presentation and asked for questions.

**Vice Mayor Medina** asked about the four highly qualified engineering firms, but he didn't see their bids. **Fabry** they were requested to make proposals but they chose to not propose for this project.

**Councilmember O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

f. Adopt Resolution Amending Resolution 2008-38 for the Intersection Design at the Southernmost Intersection of De Soto Way and Santa Lucia Avenue at the Santa Lucia Avenue Leg and at the Southern De Soto Way Leg of the Intersection.

**Public Services Director Fabry** gave background on the project in an overview of the staff report and asked for questions.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

**Councilmember Ibarra** asked for a timetable. **Fabry** said not longer than two months.

g. Adopt Resolution Approving Revisions to the City's Conflict of Interest Code Appendix.

**Interim City Attorney Rubens** gave an overview of the necessity of updating the City's Conflict of Interest Code.

**Councilmember O’Connell** introduced the resolution for adoption and passed with a unanimous vote.

h. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with Technology, Engineering & Construction, Inc. in the Amount of \$153,000 and Appropriating an Additional \$48,000 to the Diesel Tank Replacement Project.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Councilmember Salazar** asked if there would be any impact to the operations of the fire station? **Fabry** said it is not anticipated to interfere. **Councilmember Salazar** asked the expected life span? **Fabry** said the expected life is around thirty years. **Councilmember Salazar** said there will be some kind of structure around the tank, are there safety considerations? **Fabry** said it would be part of the project. There are safety devices on both sides of the tank to protect. **Councilmember Salazar** asked if there would there have been a difference in the cost underground? **Fabry** said aboveground is less expensive than underground.

**Councilmember Salazar** introduced the resolution for adoption and passed with a unanimous vote.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:** None.

**12. COMMENTS FROM COUNCIL MEMBERS:**

**13. CLOSED SESSION:**

Mayor Ruane read the Closed Session in this agenda. He then adjourned this meeting to the Special Meeting of October 12.

a. Closed Session to Confer with Legal Counsel Regarding *Baykeeper v. City of San Bruno, United States District Court, Civ. Case No. 00753 SC (Cal. Gov’t Code Section 54956.9(a))*.

b. The City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov’t Code Section 54957.6 Regarding Direction for Labor Negotiations with the Police Bargaining Unit.

**14. ADJOURNMENT:**

**Mayor Ruane** adjourned this meeting at 8:33 to the special closed session meeting of October 12. The next Council Meeting will be held on October 26, 2010 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the regular City Council Meeting of  
September 26, 2010

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Carol Bonner, City Clerk

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Jim Ruane, Mayor